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An Act To Transfer the Operation of the Fort Knox State Historic Site to the Friends of Fort Knox

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §1803, sub-§1, ¶A, as amended by PL 2001, c. 604, §2, is further amended to read:

A. All state parks and historic sites and national parks that are controlled and managed by the State, except Baxter State Park and Fort Knox State Historic Site;

Sec. 2. Transfer of the operation and management of the Fort Knox State Historic Site to a private entity. On or before May 15, 2010, the Department of Conservation, Bureau of Parks and Lands shall transfer responsibility for the operation and management of the Fort Knox State Historic Site to a qualifying organization formed to preserve and restore the Fort Knox State Historic Site and exempt from taxation under the United States Internal Revenue Code of 1986, Section 501(c) (3), as amended. The bureau shall enter into a cooperative agreement with the qualifying organization as authorized under the Maine Revised Statutes, Title 12, section 1803, subsection 4. The agreement must specify the terms and conditions of the transfer of responsibilities and equipment and require that the Fort Knox State Historic Site continue to be managed according to the objectives of Title 12, chapter 220 and without substantially altering the uses of the Fort Knox State Historic Site. The agreement must specify that the equipment and buildings owned by the Bureau of Parks and Lands and used to maintain the Fort Knox Historic Site are to be leased to the qualifying organization at a nominal fee. The agreement must provide for the qualifying organization to repair and maintain the equipment and buildings leased or replace them at the termination of the lease or of the cooperative agreement.

1. Responsibilities revert to the bureau. If the qualifying organization is dissolved or loses its tax exempt status, all management and operations responsibilities transferred in an agreement pursuant to this section revert to the bureau and the agreement is void.

Sec. 3. Transition provision. The Department of Conservation, Bureau of Parks and Lands shall give persons employed by the bureau for the 2009 season and working at the Fort Knox State Historic Site the opportunity to transfer to positions at other state parks or historic sites for the 2010 season. The transfer of management and operations responsibilities as required in this Act must be completed on or before May 1, 2010. For purposes of this section, "season" means the period of time during which the Fort Knox State Historic Site has paid staff on site.

Sec. 4. Report; legislation. The Director of the Bureau of Parks and Lands within the Department of Conservation shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 2, 2010 on the status of the agreement negotiated or being negotiated with the qualifying organization under section 2 of this Act. The director shall provide details on the anticipated fiscal impact of implementing the agreement and make recommendations on any statutory

or regulatory changes needed to complete the transfer of management and operations responsibilities. The Joint Standing Committee on Agriculture, Conservation and Forestry may submit legislation to the Second Regular Session of the 124th Legislature to facilitate the transfer authorized in this Act.

Sec. 5. Effective date. That section of this Act that amends the Maine Revised Statutes, Title 12, section 1803, subsection 1, paragraph A takes effect May 1, 2010.

SUMMARY

This bill directs the Bureau of Parks and Lands within the Department of Conservation to transfer management and operations responsibilities for the Fort Knox State Historic Site to the Friends of Fort Knox.